

EXHIBIT 4

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BLACK LOVE RESISTS IN THE RUST by and through
MARIELLE SHAVONNE SMITH and CHARIS HUMPHREY
on behalf of its members, SHAKETA REDDEN,
DORETHEA FRANKLIN, TANIQUA SIMMONS, DE'JON HALL,
JOSEPH BONDS, CHARLES PALMER, SHIRLEY SARMIENTO,
EBONY YELDON, and JANE DOE,
individually and on behalf of a class of all
others similarly situated,

Plaintiffs,

-vs-

CITY OF BUFFALO, N.Y., BYRON B. BROWN,
Mayor of the City of Buffalo, in his individual and
official capacities,
BYRON C. LOCKWOOD, Commissioner of the
Buffalo Police Department, in his individual
and official capacities,
DANIEL DERENDA, former Commissioner of the
Buffalo Police Department, in his individual capacity,
AARON YOUNG, KEVIN BRINKWORTH, PHILIP SERAFINI,
ROBBIN THOMAS,
UNKNOWN SUPERVISORY PERSONNEL 1-10,
UNKNOWN OFFICERS 1-20, each officers of the
Buffalo Police Department,
in their individual capacities,

Defendants.

Remote Examination Before
Trial of CHARLES PALMER, Plaintiff, taken pursuant to the
Federal Rules of Civil Procedure, at SUE ANN SIMONIN COURT
REPORTING, 421 Franklin Street, Buffalo, New York, taken on
September 14, 2023, commencing at 9:02 A.M., before NICHOLE
WINANS, Notary Public.

1 Q. Okay. But beyond your child support obligation?

2 A. Yes.

3 Q. Okay. Thank you. I appreciate that. And I can
4 appreciate wanting to keep your son's personal
5 details out of this, but thank you for your
6 thoughtful answers.

7 So off of that topic, what is your current
8 address, your current residential address, excuse
9 me?

10 A. I don't have no current address, I'm homeless. I
11 just have a mailing address.

12 Q. Can you repeat that last part? I'm sorry. You
13 don't have a?

14 A. I just have a mailing address, I don't have a
15 current address.

16 Q. Okay. And what is your mailing address?

17 A. P.O. Box 32094, Charlotte, North Carolina 28232.

18 Q. Do you currently reside in North Carolina then?

19 A. Yes.

20 Q. Okay. And did you have a residential address
21 prior?

22 A. Yes.

23 Q. What was that?

1 Q. Okay. Understood. Prior to the Newburgh
2 address, where did you live before that -- or,
3 what was your residential address before that?

4 A. Not sure.

5 Q. Do you remember if it was in Buffalo?

6 A. Yes.

7 Q. Okay.

8 A. It was.

9 Q. Do you recall if you owned or rented there?

10 A. No. I lived with my mother.

11 Q. Okay. Is that the same house that you grew up in
12 then?

13 A. One of them, yes.

14 Q. And so is it safe to say that you grew up in the
15 City of Buffalo?

16 A. Yes.

17 Q. What neighborhoods did you grow up in?

18 A. Multiple neighborhoods. Primarily the East Side.

19 Q. Okay. Do you visit Buffalo often?

20 A. I haven't, I haven't often recently, no.

21 Q. Okay. Do you have plans to visit Buffalo any
22 time soon?

23 A. Yes.

1 Q. Okay. Would sunglasses have helped in the sun?

2 MS. WILLIAMS: Objection.

3 THE WITNESS: I believe I had sunglasses. No.

4 BY MS. FREELY:

5 Q. Okay. Did a doctor recommend that you have
6 tinted windows?

7 MS. WILLIAMS: Objection.

8 THE WITNESS: I'm not sure.

9 BY MS. FREELY:

10 Q. What sparked your decision to have your windows
11 tinted?

12 MS. WILLIAMS: Objection.

13 THE WITNESS: As stated.

14 BY MS. FREELY:

15 Q. Which is what?

16 A. Light sensitivity and vision problems.

17 Q. Did you tint your windows yourself?

18 A. No.

19 Q. Did you have someone else tint your windows?

20 A. Professionally tinted by a tinting window
21 company.

22 Q. Do you remember what company that is, that was?

23 A. No.

1 me.

2 Q. How many of your windows were tinted?

3 A. Five.

4 Q. So is that your -- which windows were tinted?

5 A. Four windows and the rear window.

6 Q. The rear windshield?

7 A. Yes.

8 Q. Okay. Did the officer use a tint meter when --
9 to test how tinted your windows were on November
10 4th, 2015?

11 A. I'm not sure, I can't recall.

12 Q. Okay. Did you communicate your vision problems
13 to the officer on that date?

14 A. I'm not sure.

15 Q. So paragraph three o three states that you moved
16 frequently. Why is that?

17 MS. WILLIAMS: Objection.

18 THE WITNESS: I'm not sure.

19 BY MS. FREELY:

20 Q. So was it your aunt's address that was on your
21 license, your driver's license?

22 A. I'm not sure.

23 Q. Do you remember what license -- what address was

1 regular passenger in the vehicle. At any time
2 when you were pulled over by Officer Domaracki,
3 Officer Wigdorski or Officer Miller, did either
4 of them inquire whether or not you had any
5 medical condition that required you to have tint?

6 A. I don't think so.

7 Q. If they had done so, would you have applied for a
8 tinted window exemption as is allowed in New York
9 State?

10 A. Yes.

11 Q. Okay. I just want to go back to the complaint
12 again for a second. Officer Domaracki issued
13 you two tickets for tinted windows in paragraph
14 three o four, Officer Wigdorski, however, for the
15 same reasons, he issued you four tinted window
16 tickets, and one for failure to notify the DMV.
17 Between November 2015 and January 2016, did you
18 remove the other two tints from your windows or
19 did your car have the same amount of tints as
20 before in January 2016?

21 A. No. It was the same.

22 Q. So Officer Domaracki chose to issue you two
23 tickets while Officer Wigdorski issued you four